

Application No. 10/599,516
Amendment dated November 21, 2008
Reply to Office Action of August 21, 2008

Docket No.: 20794/0205344-US0

AMENDMENTS TO THE DRAWINGS

The attached sheet of drawings includes changes to Fig. 2.

Attachment: (1) Replacement sheet

REMARKS

Claims 9-19 are pending in the application. Claims 9-16 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter. Claims 9-17, and 19 were rejected under 35 U.S.C. § 102(b) based on Japanese Patent No. JP02-230026. Claim 18 was rejected under 35 U.S.C. § 103(a) based on JP02-230026.

In view of the above amendment, applicants believe the pending application is in condition for allowance.

Status of the Specification and Drawings

The Specification and Drawings have now been amended to use reference numeral 14 to reference the appliance port. The appliance port was previously referenced using reference numeral 12, which is also used in the Specification and Drawings to reference the mounting blocks. Thus, this amendment has been made to remove the duplicate use of the numeral 12. Additionally, reference numeral 4, indicating the outer surface 4 of front 2, as shown in Fig. 1 and described at paragraph [0025] of the Specification has been added to Fig. 2. It is respectfully submitted that no new matter has been added by way of the amendment.

Rejections Under 35 U.S.C. § 112

Claims 9-16 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter.

Claim 9 of the present application has now been amended so as to recite an appliance with a door, “a body having a front with a planar outer surface” and a control and display unit disposed so as “to shield, when the door is in a closed position, the appliance port from view in a direction perpendicular to the planar outer surface of the front of the body.” Support for the amendment may be found, for example, in paragraphs [0023] and [0030] of the Specification as originally filed, and Fig. 2. It is respectfully submitted that amended claim 9 includes sufficient structure to establish that the recited view is perpendicular to the planar outer surface of the front of the body.

Furthermore, it is respectfully submitted that claim 9 clearly recites that, when the door is in a closed position, the control and display unit is disposed so as to shield the appliance port from the above-recited perpendicular view.

Claim 13 of the present application has now been amended so as to recite that the door includes “a handle configured and disposed in an alignment with the user control and display unit so as to provide a visual impression of an extension of the user control and display unit when the door is closed.” Support for this amendment may be found, for example, in paragraph [0025] of the Specification, as originally filed, and Fig. 1. It is respectfully submitted that the recitation of claim 13 is clear in that the aligned position and configuration of the handle of the door provides a visual impression of being an extension of the user control and display unit when the door is closed.

Reconsideration and withdrawal of the rejection of claims 9-16 under 35 U.S.C. § 112, second paragraph, is respectfully requested.

Rejections Under 35 U.S.C. §§ 102 and 103

Claims 9-17, and 19 were rejected under 35 U.S.C. § 102(b) based on Japanese Patent No. JP02-230026 to Yoshito et al. (“Yoshito”). Claim 18 was rejected under 35 U.S.C. § 103(a) based on Yoshito.

Yoshito describes a cooking device with an opening 4 to the cooking chamber and a door 6 disposed in front of the opening 4. The door has a handle 10 with a control board 17 thereon. See Yoshito, abstract.

Independent claim 9 of the present application recites “an appliance port including at least one of a cooling air inlet port and a vapor exhaust port” and has now been amended so as to recite that the control and display unit is disposed so as “to shield, when the door is in a closed position, the appliance port from view in a direction perpendicular to the planar outer surface of the front of the body.” It is respectfully submitted that Yoshito does not teach or suggest these features. In contrast, Yoshito does not disclose an appliance port that is either a cooling air inlet port or a vapor exhaust port. Furthermore, Yoshito does not disclose a control and display unit that is disposed so as to shield the appliance port from view in a direction perpendicular to a planar outer surface of the front of the body when the door is closed. Yoshito merely describes a cooking device with an

opening 4 to the cooking chamber and a door 6 disposed thereon. See Yoshito, abstract and Fig. 4. Because Yoshito is missing at least the above-recited features of independent claim 9, Yoshito cannot anticipate claim 9 or any of its dependent claims. Nor would there have been any reason for a person of ordinary skill in the art at the time of the invention to have modified Yoshito to include an appliance port that is at least one of a cooling air inlet port and a vapor exhaust port, or to dispose a control and display unit so as to shield the appliance port, as recited in claim 9. Therefore, because claim 18 properly depends from claim 9 and incorporates all the features of claim 9, Yoshito could not render dependent claim 18 obvious.

Reconsideration and withdrawal of the rejection of claims 9-17 and 19 under 35 U.S.C. § 102(b), and of claim 18 under 35 U.S.C. § 103(a) based on Yoshito is respectfully requested.

CONCLUSION

In view of the above amendment, applicants believe the pending application is in condition for allowance.

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Respectfully submitted,

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